2019, 2016, 2015, 2013

PRELIMINARY EXAMINATION DISTRICT JUDGE (ENTRY LEVEL) 2019

All questions carry equal marks.

For 100 Questions maximum marks 300.

For every wrong answer, one mark shall be **deducted.**

Select the nearest correct answer from amongst the four answers given below each question.

Time allowed 2 ½ hours.

Candidates are directed to follow instructions as given in the admit card and separate sheet for filling up O.M.R. Sheet (Answer Sheet)

PART -1 (LAW)

1. Which constitutional amendment authorises State to make provision for reservation in matters of promotion in the services under the State in favour of Scheduled Castes and Scheduled Tribes?

(a) Eighty-first Amendment (b) Seventy-eighth Amendment

(c) Seventy-seventh Amendment (d) None of the above.

2. Which of the following is not one of the qualifications for election of a person as President of India?

(a) He is qualified for election as Member of the House of People

(b) He has completed the age of 45 years

(c) He is a Citizen of India

(d) None of the above

3. The original jurisdiction of the Supreme Court under Article 131 of the Constitution of India is in respect of disputes:-

(a) Between the Government of India and one or more States

(b) Between the Government of India and any State or States on the one side and one or more other States on the other

(c) Between two or more States

(d) All of the above

CORRIGENDUM

In question no.66 at page 15, Section 13 be read as Section 138

4. IXth Schedule of the Constitution of India deals with disqualification of a Member of:-

(a) Either House of the Parliament

(b) Legislative Assembly or either House of the Legislature of a State

(c) Both (a) and (b)

(d) None of the above.

5. Right to Education under Article 21A of the Constitution of India guarantees:-

(a) Free and compulsory school education

(b) Free and compulsory education to the children of age between 6 to 14 years

(c) Free and compulsory education to all female children up to the age of 18 years

(d) Free and compulsory education to all children up to 16 years.

6. Judicial review is the basic feature of the Constitution was finally decided in:-

(a) Minerva Mills Case (b) Golak Nath's case

(c) L.Chandra Kumar's case (d) S.R. Bommai's case

7. Who shall have power to seek advice of Supreme Court of India?

(a) Prime Minister (b) Law Minister

(c) President (d) Speaker of Lok Sabha

8. Fundamental duties in Part IVA was inserted by way of:-

(a) 46th Amendment (b) 42nd Amendment

(c) 23rd Amendment (d) 73rd Amendment.

9. Who gave dissenting judgment in Sabrimala case?-

(a) Justice R. Nariman (b) Justice D.Y. Chandrachud

(c)Justice Banumathi (d) Justice Indu Malhotra

10. 10% Reservation for economically weaker section was introduced by way of:-

(a) 120th Amendment
(b) 124th Amendment
(c) 125th Amendment
(d) 126th Amendment.

11. Which of the following is not a ground for declaring a marriage void under the Hindu Marriage Act, 1955?

(a) Bride and bride-groom had a spouse living at the time of marriage

(b) At the time of marriage either of the parties was incapable of giving a valid consent to it in consequence of unsoundness of mind

(c) The parties are within the degree of prohibited relationship and there is no custom or usage governing each of the party to the marriage, which permits of marriage between them

(d) The parties to the marriage are sapindas of each other and there is no custom or usage governing each of the party to the marriage, which permits of marriage.

12. Which of the following statements is incorrect?

(a) A female Hindu can take a son or daughter in adoption

(b) A female Hindu can take a son or daughter in adoption with consent of her husband, if her husband is alive

(c) A widow or an unmarried woman cannot adopt a child

(d) None of the above.

13. Rules of intestate succession under the Indian Succession Act, 1925 do not apply to the properties of any :-

(a) Sikh
(b) Mohammadan
(c) Buddhist
(d) All of the above

14. Which of the following statements in incorrect?

(a) There is no concept of joint family under the Muslim Law.

(b) Muslim Law does not recognize concept of right by birth in the property of the father in favour of the son during his life time.

(c) Father under Muslim Law enjoys full power of alienation over the property.

(d) None of the above.

15. A wife under Muslim Law is entitled to obtain decree of dissolution of marriage on the ground of:-

(a) Failure on the part of the husband to perform marital obligations for a period of three years.

(b) Cruelty of husband

(c) Insanity of husband

(d) All of the above.

16. Which of the following statements is correct?

(a) There is no statute in India which enables a Muslim to seek adoption.

(b) A Muslim woman can adopt a child.

(c) A Muslim wife can adopt a child only with the consent of her husband.

(d) A Muslim male or female can adopt a child invoking provisions of the Juvenile Justice (Care and Protection of Children) Act, 2000.

17. Testamentary succession means:-

(a) Disposal of any property by any Hindu by will.

(b) Succession by heirs to the property of Hindu after his death, who dies without any will or codicil or other testamentary disposition in respect of the property held by him.

(c) Right of a Hindu male to succeed by birth.

(d) None of the above.

18. Escheat means:-

(a) An act of cheating by a person for acquiring rights in a estate.

(b) Devolution of property on the person in case there is no other heir to succeed the property of a Hindu dying intestate.

(c) Devolution of property on the government in case of death of an intestate leaving behind no heir qualified to succeed his property.

(d) All of the above.

19. Which of the following statements is incorrect?

(a) Father of male Hindu dying intestate is Class-I heir.

(b) Mother of male Hindu dying intestate is Class-I heir.

(c) Daughter of a pre-deceased daughter is Class-I heir.

(d) Widow of pre-deceased son is Class-I heir.

20. Which of the following provisions deals with judicial separation under the Hindu Marriage Act, 1955?

(a) Section 12 (b) Section 13-B

(c) Section 10 (d) Section 9

21. Right to lodge caveat is provided under Section:-

(a) 151CPC (b) 144 CPC

(c) 148 CPC (d) 148A CPC

22. Enlargement of time fixed by the court is provided under Section:-

(a) 144 CPC (b) 151 CPC

(c) 152 CPC (d) 148 CPC

23. Issues are framed under:-

(a) Order 14 (b) Order 41

(c) Order 21 (d) All of them.

24. A plaint can be rejected :-

(a) When the plaint is insufficiently stamped

(b) Where the suit is barred by law

(c) Where the plaint does not disclose cause of action

(d) All of the above.

25. Constructive *res judicata* is provided under:-

(a) Section 10 CPC

(b) Explanation IV of Section 11

(c) Section 114

(d) None of the above.

26. Which of the following relates to set off?

(a) Order VIII (b) Order VII

(c) Order VI (d) All of the above.

27. Which provision of the Arbitration and Conciliation Act mandates that Arbitration Agreement shall be in writing?

(a) Section 7 (b) Section 3

(c) Section 8 (d) Section 11

28. What is the effect of death of a party on the authority of Arbitrator?

(a) Authority shall be revoked

(b) Authority shall not be revoked

(c) Legal representative of deceased has to authorise the Arbitrator

(d) Court may authorise the Arbitrator.

29. Under what provisions of the Arbitration and Conciliation Act Court can remove arbitrator or umpire?

(a) Section 11 (b) Section 10

(c) Section 8 (d) None of them.

30. A defendant enters appearance in a money suit and files a petition informing the Court that there exists an arbitration agreement between the parties. However, during pendency of such adjudication by the Court the defendant gets an arbitral tribunal constituted as per the stipulation of the agreement and obtains an award in his favour-

(a) The award would be subject to outcome of the suit

(b) The award would be invalid

(c) The award would become invalid at the option of the plaintiff of the suit

(d) The award would be a valid award.

31. Who is competent to stay the execution of an arbitral award?

(a) The arbitral tribunal

(b) The executing court

(c) The High Court

(d) The court before whom the application is made under Section 34 of the Arbitration and Conciliation Act, 1996.

32. 'H' and 'W' after a protracted legal entanglement decided to annul their marriage through divorce by mutual consent and it was agreed upon between them that 'H' would pay Rupees five crores only towards one time alimony as against permanent settlement of the claims between the parties. One of the stipulations to the settlement was that 'W' would not remarry for a period till the child who was given in custody of 'W' would attain the age of 30 years or else 'W' would be liable to refund the amount received as permanent alimony towards permanent settlement between the parties.

(a) The agreement would be void in toto

(b) The latter part of the agreement would be void

(c) In the event of remarriage of 'W' in contravention to the settlement between the parties, 'H' would be entitled to recover the amount advanced to 'W'

(d) In the event of remarriage of 'W' in contravention of the settlement the divorce between the parties would stand annulled.

33. Which among the following is not an essential element in a contract for guarantee under the relevant provision of the Indian Contract Act,1872?

(a) Guarantor (b) Surety

(c) Principal- Debtor (d) Creditor

34. A contract between a financier and a purchaser of vehicle involving advance of money by the financier for purchase of a vehicle is governed by which principle under the Indian Contract Act, 1872 :-

(a) Bailment

(b) Hire-purchase

(c) Agency

(d) Indemnity

35. Is a suit filed by an agent under a general contract of agency maintainable at his instance?

(a) Yes

(b) No

(c) It will depend upon the facts of the case

(d) The premise is incorrect.

36. 'T' coaches 'M, a minor, who is a student of Secondary School in Mathematics. Though there was no talk between the father of 'M' and 'T' with respect to any remuneration to be paid to 'T' yet the father of 'M' had knowledge of the coaching imparted by 'T'. After 'M' succeeded in his examination, 'T' demanded remuneration from father of 'M'. Which legal principle would govern the case at hand?

(a) 'M' being minor, 'T' would have no claim against any service imparted to 'M'

(b) Since the father of 'M' never entered into any contract with 'T', 'T' will not have any actionable claim

(c) 'T' would be entitled to recover from father of 'M' since father of 'M' has enjoyed the benefit of non-gratuitous act of 'T' that being coaching 'M'

(d) The premise would not be covered by any legal principle under the Indian laws

37. Which of the statements about the Specific Relief (Amendment) Act, 2018 is correct?

(a) Will apply to the cases which have arisen after the amendment in the Act

(b) Will apply to the contracts entered into after the coming into force of the Amendment Act.

(c) Will apply to the pending cases

(d) None of the statements is correct.

38. The readiness and willingness of a party seeking specific performance of a contract

(a) Must be averred and proved

(b) Must be proved

(c) Must be dispelled by the defendant through cogent evidence

(d) All of the above.

39. An order allowing the prayer of injunction should ensure that -

(a) The plaintiff has personal interest in the subject matter

(b) The order should not impede or delay the progress or completion of any infrastructure project

(c) The plaintiff should not have acquiesced in breach of the contract

(d) All of the above.

40. Which one of the following is correct with respect to substituted performance of a contract?

(a) The party claiming breach should approach the court seeking performance of the contract

(b) The party claiming breach should claim damages for the breach

(c) The party claiming breach can get the contract performed either himself or through agent after notice to the party who has committed the breach and can claim compensation of the performance from the party committing the breach

(d) All of the above.

41. The correct position of law with respect to damages *in lieu of* Specific Performance of Contract would be :-

(a) That the party in breach can offer to pay the liquidated damages *in lieu of* the specific performance of the contract.

(b) The right to claim damages always subsists in the party claiming breach of the contract even after losing his case for specific performance

(c) Both the statements are correct

(d) Neither of the statement is correct.

42. Dissolution of a partnership firm happens upon :-

(a) Death of a partner

(b) Introduction of a partner

(c) Both of the above

(d) Neither of the above

43. Limited liability partnership and a partnership firm are the same but just governed by different statutes.

(a) The above statement is absolutely correct.

(b) The above statement is partially correct

(c) The above statement is absolutely incorrect

(d) The above statement is partially incorrect.

44. Partnership firm is created :

(a) When the partners enter into an agreement to create a partnership firm for conduct of a business

(b) When the business of the partnership firm is commenced

(c) Both the conditions are necessary

(d) Neither of the conditions is correct.

45. Time is of essence in a contract for sale of goods :

(a) The statement is absolutely correct

(b) The statement is governed by the agreement between the parties

(c) The statement would be determined from the nature of the agreement and the conduct of the parties.

(d) The statement is incorrect in the eyes of law.

46. In case a buyer buys a mobile phone from the finder of the phone without knowledge of such defect in title and the defect is later discovered :-

(a) The buyer would lose his title in the good

(b) The buyer would be entitled to retain the good purchased

(c) The buyer would be required to return the good to the real owner and recover the consideration of the sale from his seller

(d) Any dispute regarding the title would be required to be settled between the seller and the person claiming ownership over the good.

47. Any substantive dispute pertaining to purchase of a lap-top purchased through an e-commerce portal would be governed by :-

(a) The Information Technology Act, 2000

(b) The Sale of Goods Act, 1930

(c) The Consumer Protection Act, 1986

(d) The terms and conditions of the use of the e-commerce portal.

48. Sale of Goods Act, 1930 is :-

(a) A substantive law

(b) Adjective law

(c) Partly substantive and partly procedural law

(d) Penal law

49. Which of the following Sections have been inserted in the Indian Penal Code by the Criminal Law (Amendment) Act, 2013 :-

(a) Section 376-A

(b) Section 376-B

(c) Sections 166-A, 166-B, 354-C

(d) All of the above.

50. A man is said to commit "rape" if he penetrates his penis, to any extent, into the ---------- of a woman :-

(a) Vagina (b) Mouth

(c) Urethra or Anus (d) All of the above.

51. Section 34 of the IPC :-

(a) Creates a substantive offence

(b) Is a rule of evidence

(c) Both (a) and (b)

(d) Neither (a) nor (b)

52. Under Section 45 of the IPC, life denotes

(a) Life of a human being

(b) Life of an animal

(c) Life of human being and of an animal both

(d) Life of either human being or an animal

53. Section 76 and Section 79 of IPC provide the general exception of -

(a) Mistake of law

(b) Mistake of fact

(c) Both mistake of law and fact

(d) Either mistake of law or of fact.

54. Who was the President of the drafting committee of the Indian Penal Code?

(a) Lord William Bentinck (b) Lord Curzon

(c) Lord Macaulay (d) Lord Irvin

55. Section 311 of the Code of Criminal Procedure, 1973 -

(a) Is confined to court witness

(b) Does not apply to defence witness

(c) Cannot be exercised after the accused had disclosed his defence

(d) Does not include accused as witness.

56. An order under Section 319 of the Code of Criminal Procedure, 1973 -

(a) Can only be made on the request of the first informant or one of the witnesses

(b) Cannot be passed unless at least one prosecution witness has been examined

(c) Cannot be made suo motu

(d) Is an administrative order.

57. A judgment –

(a) Should not contain the name of the victim in case of sexual offences

(b) Includes an order of discharge

(c) Must be written in the language understood by the accused

(d) In case of acquittal need not direct the accused to be set free.

58. Which of the following Section deals with victim compensation scheme?

(a) Section 280-B Cr.P.C. (b) Section 287-D Cr.P.C.

(c) Section 357-A Cr.P.C. (d) Section 289-B Cr.P.C.

59. The High Court cannot exercise the power under Section 407 of the Code of Criminal Procedure to transfer cases and appeals if –

(a) A fair and impartial inquiry or trial is not possible

(b) A stranger to the case makes an application

(c) It is expedient for the ends of justice

(d) It will tend to the general convenience of the parties or witnesses.

60. Which of the following statements hold true for dying declaration?

(a) Dying declaration cannot be used as a sole basis of conviction

(b) Dying declaration unless corroborated cannot be used as the sole basis of conviction

(c) Dying declaration which is brief must be discarded

(d) When eye-witness affirms that the deceased was not in a fit state to make the declaration, medical opinion cannot prevail.

61. Accused wants to submit a document for consideration under Section 35 of the Indian Evidence Act, 1872. In which of the following cases will the document become irrelevant-

(a) It does not deal with a fact in issue

(b) It does not deal with a relevant fact

(c) It is not an entry made in public or other official book, register or record

(d) It is not an entry made by public servant.

62. Ram, an accused wants to submit carbon copy of the suicide note as secondary evidence. The original is with the opposite party and he has failed to produce the same. The suicide was not within the knowledge of the accused prior to the receipt of the carbon copy. Which of the following statements will hold true for the case?

(a) The evidence cannot be admitted due to applicability of Section 30 of the Indian Evidence Act, 1872

(b) The evidence cannot be admitted because it fails to satisfy the requirements of Section 64 of the Indian Evidence Act, 1872

(c) The evidence cannot be admitted because it fails to satisfy the requirements of Section 65 of Indian Evidence Act, 1872

(d) The evidence can be admitted as it satisfies the requirements of both Section 64 and Section 65 of the Indian Evidence Act, 1872

63. Which of the following Sections of the Indian Evidence Act, 1872 gives the provisions regarding proof as to electronic signatures?

(a) Section 67 (b) Section 67-A

(c) Section 67-B (d) Section 67-C

64. Relevancy of facts forming part of same transaction is dealt under which of the following Section of the Indian Evidence Act, 1872?

(a) Section 4 (b) Section 6

(c) Section 10 (d) Section 8

65. Which of the following is not Negotiable Instrument?

(a) Bill of Exchange (b) Bond

(c) Promissory Note (d) Cheque.

66. What is the punishment for offence under Section 13 of the Negotiable Instrument Act?

(a) 2 years imprisonment or fine which may extend to twice the amount of cheque or both

(b) 2 years imprisonment and fine upto twice the amount of cheque

(c) Imprisonment not less than 2 years and with fine of Rs.10,000/-

(d) Imprisonment for not less than 2 years or fine of Rs.10,000/- or both.

67. What is the statutory notice period for intimating dishonour of cheque under Section 138 of the Negotiable Instruments Act?

(a) 15 days (b) One month

(c) three months (d) three weeks.

68. If limitation for filing of an application is three months and the cause of action arises on 1st January of the year the last date for filing of the application would be given that the year is a leap year

(a) 31st March (b) 1st April

(c) 30th March (d) Neither of the dates is correct.

69. The period of limitation to file a criminal revision before a court of Sessions from an order of an Executive Magistrate would be-

(a) 3 months (b) 30 days

(c) 90 days (d) 60 days.

70. The correct position regarding law of limitation would be –

(a) A suit would be dismissed for want of limitation only if the defendant has raised the objection as to limitation

(b) The court has the discretionary jurisdiction to frame preliminary issue of limitation and proceed with the suit if the claim of the plaintiff is otherwise good on merits.

(c) The defendant can waive off his claim for dismissal of the suit on the grounds of limitation and seek adjudication of the dispute upon which the court would proceed to adjudicate upon the dispute.

(d) The court would dismiss the suit if the delay is otherwise not condonable in accordance with the provisions of the Limitation Act, 1963.

PART-II (ENGLISH)

Direction for questions 71 and 72:

Select the word that is closest in meaning to the given word.

71. Cadence:

(a) Blessing
(b) Intonation
(c) Provision
(d) Approval

72. Sardonic:

(a) Inactivity
(b) Scornful or bitterly sarcastic
(c) Spurious
(d) Insane

Directions for questions 73 and 74

Select the word that is opposite in meaning to the given word.

73. Judicious:

(a) Discreet
(b) Prudent
(c) Discriminating
(d) Irrational

74. Sporadic:

(a) Occasional
(b) Intermittent

(c) Discerning (d) Continuous

Directions for questions 75 and 76:

Select the meaning of the following idioms.

75. Be chilled to the marrow

(a) To be completely shameless

(b) To your innermost being

(c) To be extremely cold

(d) To vigorously engage in an argument

76. Kick the bucket

(a) To win a deal (b)To throw a tantrum

(c) To get angry (d) To die

Directions for questions 77 to 79:

Fill in the blanks with the correct option.

77. Neither of these cases _____ happened.

(a) need have ever (b) should have ever

(c) ever have (d) need have

78. It is easy to lose _____ temper when one is unfairly criticized.

(a) one's (b) anyone's

(c) his (d) his/her

79. The report blamed, _____ police process excused internally by pressure to meet tight case management deadline.

(a) untarnished (b) primal

(c) corroborated (d) shoddy

Directions for questions 80:

Choose the word that best expresses a relationship similar to that expressed in the original pair.

80. Naive: Artless ::

(a) Moron: Simpleton

(b) School: Children

(c) Tree: Plants

(d) Illuminate: See

PART-III (GENERAL KNOWLEDGE)

81. Entomology is the science that studies

(a) Behaviour of human being

(b) Insects

(c) The origin and technical and scientific terms

(d) Formation of rocks

82. India has largest deposits of _____ in the world.

(a) Gold

(b) Copper

(c) Mica

(d) None of the above

83. Satellite launching station is located at

(a) Sriharikota (Andhra Pradesh)

(b) Solapur (Maharashtra)

(c) Salem (Tamil Nadu)

(d) Warangal (Andhra Pradesh)

84. The main objectives of UN are

(i) To maintain peace and security among nations

(ii) To work together to remove poverty, disease and illiteracy and encourage for each other's rights of basic freedom

(iii) To develop friendly relations among nations

(a) (i) and (ii)

(b) (i) and (iii)

(c) (ii) and (iii)

(d) All of the above.

85. Diphtheria is caused by

(a) Infection of throat (b) Infection of chest

(c) Infection of liver (d) None of the above.

86. Which among the following bodies estimate the national income of India?

(a) Office of the Economic Advisor

(b) Ministry of Statistics

(c) Central Statistical Office

(d) Ministry of Finance.

87. What was the original name of Mirabehn, an associate and disciple of Mahatma Gandhi?

(a) Oliver Schriener (b) Millie Graham Polock

(c) Madeline Slade (d) Margarate Cousins

88. What is the name of India's first nuclear reactor?

(a) Cirius (b) Apsara

(c) Dhruva (d) Kamini

89. Mahatma Gandhi had launched his first Satyagraha in India from which among the following places?

(a) Kheda (b) Bardoli

(c) Champaran (d) Sabarmati

90. Which of the following countries is known as 'Land of a thousand lakes'?

(a) Norway (b) Sweden

(c) Finland (d) Estonia

PART-IV (COMPUTER)

91. The technology that allows telephone calls to be made over computer networks like the Internet is:

(a) VoIP (b) GSM

(c) Modem (d) CDMA

92. Uniform Resource Locator is used to:

(a) Find a place on Google Maps

(b) Access a specific webpage

(c) Search for a software on the Internet

(d) Look for files bearing the same extension on a computer

93. Which of these is not a web browser?

(a) Mozilla Firefox (b) Opera

(c) MS Outlook (d) Safari

94. Which of the following is not a language of computer?

(a) Java (b) C++

(c) Android (d) JavaScript

95. PDF stands for

(a) Portable Document Format

(b) Printable Document Format

(c) Premier Demonstrable Fonts

(d) Portable Document Fonts

96. When we say that a file is stored in cloud, we mean that

(a) The file is stored in the satellite above the clouds

(b) The file is stored in the charged ions which are present in the clouds available for access through magnetic waves transmitted by the electronic device owned by us matching the wavelength of the ions storing the file in the clouds

(c) The file is stored in a server maintained by the service provider of the cloud storage service in encrypted format and accessible by anyone having access to the encryption code.

(d) The file is stored in some hidden part of the computer device which is concealed somewhere.

97. Which of the following is not a storage device?

(a) Pen drive (b) Flash drive

(c) Stylus (d) Portable drive

98. Android is

(a) Operating System (b) Mobile application

(c) Mobile phone (d) Data

98. FTP is an abbreviation for:

(a) Fast Transfer Protocol (b) File Transfer Protocol

(c) Full Transfer Protocol (d) File Transmit Protocol

99. Every computer connected to the Internet is identified by a unique four-part string, known as

(a) IP address (b) Host name

(c) Domain name (d) None of the above.

100. Which of the following is a process of transferring software programs from a secondary storage media into the hard disk:

(a) Storing (b) Process flooding

(c) Uploading (d) Installation